

Message Text

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PAGE 01 TOKYO 07719 200621 Z

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ACTION L-03

INFO OCT-01 EA-11 ADP-00 RSR-01 RSC-01 /017 W

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R 200555 Z JUN 73

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 4684

UNCLAS TOKYO 7719

E. O. 11652: N/A

TAGS: PFOR, OCON, JA

SUBJECT: OFFICIAL RECORDS OF VIENNA CONVENTION ON DIPLOMATIC
RELATIONS.

REF: STATE 107522

1. AFTER REVIEWING RELEVANT DOCUMENTS UPON REQUEST OF EMBOFF,
FONOFF LEGAL AFFAIRS DIV. CHIEF (KUMAGAI) TOLD EMBOFF THAT OFFICIAL
RECORDS OF VIENNA CONVENTION ON DIPLOMATIC RELATIONS MENTIONED
REFTEL DO ACCURATELY REPORT GOJ' S VIEW EXPRESSED AT TIME AMENDMENT
WAS WITHDRAWN.

2. BY WAY OF EXPLANATION OF APPARENT CONTRADICTION BETWEEN
WRITTEN COMMENT EXPLAINING PREPARED AMENDMENT (REFTEL PARA
ONE) AND TAKASHI' S STATEMENT UPON WITHDRAWING PROPOSED
AMENDMENT (PARA TWO REFTEL), KUMAGAI SAID THAT JAPANESE
DEL HAD BEEN INSTRUCTED ONLY TO CLARIFY ISSUE OF
WHETHER OR NOT WRITS COULD BE SERVED WITHIN PREMISES
OF DIPLOMATIC MISSION BY POST. WHILE GOJ WISHED SEE
THIS ISSUE CLARIFIED, GOJ WAS NOT PARTICULARLY CONCERNED
WHETHER DECISION WAS FOR OR AGAINST PERMITTING DELIVERY
BY POST. KUMAGAI SAID THAT THEREFORE WRITTEN COMMENT
IN SOMEWHAT CONTRADICTORY FASHION CITED ARGUMENTS BOTH
FOR AND AGAINST SERVING WRITS BY POST AND EXPRESSED
DESIRE CLARIFY ISSUE. AFTER DEBATE, TAKAHASHI WITHDREW
AMENDMENT " ON THE UNDERSTANDING THAT IT WAS THE UNANIMOUS
INTERPRETATION OF THE COMMITTEE THAT NO WRIT CAN BE
SERVED, EVEN BY POST, WITHIN THE PREMISES OF A DIPLOMATIC
MISSION." AS NO DELEGATION COMMENTED UPON THIS STATEMENT,
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PAGE 02 TOKYO 07719 200621 Z

KUMAGAI SAID IT WAS AND REMAINS GOJ POSITION THAT ISSUE
HAS BEEN CLARIFIED AND THAT CONCLUSION OF CONVENTION
DELIBERATIONS WAS TO EXCLUDE SERVICES OF A WRIT BY POST.
SHOESMITH

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NNNNMAFVVZCZ

*** Current Handling Restrictions *** n/a

*** Current Classification *** UNCLASSIFIED

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts:
Control Number: n/a
Copy: SINGLE
Draft Date: 20 JUN 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973TOKYO07719
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: n/a
Errors: n/a
Film Number: n/a
From: TOKYO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730624/aaaajiaf.tel
Line Count: 70
Locator: TEXT ON-LINE
Office: ACTION L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Previous Handling Restrictions: n/a
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